PTO/SB/26 (09-04)
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	TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional)						
A	•	491442007511						
	In re Application of: David BREWER et al.							
	Application No.: 09/849,102							
	Filed: May 4, 2001							
	For: AUTOMATIC ISOLATION IN LOOPS							
	The owner, Emulex Design & Manufacturing Corporation, of instant application hereby disclaims, except as provided below, the terminal part of the statutory instant application which would extend beyond the expiration date of the full statutory term of prior as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said pr by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant only for and during such period that it and the prior patent are commonly owned. This agreem on the instant application and is binding upon the grantee, its successors or assigns.	patent No. 6,289,002 ior patent is presently shortened t application shall be enforceable						
	In making the above disclaimer, the owner does not disclaim the terminal part of the term of a application that would extend to the expiration date of the full statutory term as defined in 35 patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in later:	U.S.C. 154 and 173 of the prior						
	expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shorte	ned by any terminal disclaimer.						
	Check either box 1 or 2 below, if appropriate.							
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, governed.), the undersigned is empowered to act on behalf of the business/organization.								
	I hereby declare that all statements made herein of my own knowledge are true and that all and belief are believed to be true; and further that these statements were made with the knowl and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of T and that such willful false statements may jeopardize the validity of the application or any patent	edge that willful false statements itle 18 of the United States Code						
	2. X The undersigned is an attorney or agent of record. Reg. No. 44,197							
ı	an my	Nov. 22, 2004						
Ì	Signature	Date						
l	Clare M. Kahata							
I	Glenn M. Kubota Typed or printed name							
I		(213) 892-5752						
I		Telephone Number						
ĺ	X Terminal disclaimer fee under 37 CFR 1.20(d) is included (Fee Transmittal PTO/SB/17	attached in duplicate).						
	*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assi	gnee (owner).						
	Form PTO/SB/96 may be used for making this certification. See MPEP § 324. EKONEN 00000063 031952 09849102	•						
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV473940977US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 22, 2004

Signature:

(Marco Jimenez)

PTO/SB/17 (10-04v2)
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Filing Date May 4, 2001 First Named Inventor David BREWER et al. First Named Inventor David Brewer Da	FEE IRANSIVIIIIAL		Application Number				09/849,102		
Applicant claims small entity status. See 37 CFR 1.27	for EV 2005		Filing Date			May 4, 2001			
Applicant claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$) 110.00 METHOD OF PAYMENT (check all that apply) Check Cond Money Other None Deposit Account Deposit Account O3-1952 Morrison & Foerster LLP Name The Director is authorized tot (check all that apply) Charge feet(s) indicated below X Credit any overpayments X Charge any additional feet(t) or any underpayment of feet(s) in the above-identified deposits account. X Charge any additional feet(t) or any underpayment of feet(s) in the above-identified deposits account. I SASIC FILINO FEE Large Entity Small Entity Fee Paid 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Examiner action 1805 1,840° Requesting publication of SIR prior to Regulation of SIR prior to Regulation publication of SIR prior to Regulation publication of SIR prior to Regulation publication of SIR prior to Regulati		First Named Inventor				ntor	David BREWER et al.		
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1. BASIC FILING FEE Large Entity Small Entity Fee		1805	1,840*	1805	1,840*	Requesting	publication o	of SIR after	
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Name (Print/Type) Glenn M. Kubota Registration No. (Attorney/Agent) 44,197 Telephone (213) 892-5752		Neut	Reduced by Basic Filling Fee Palu SUBTOTAL (3) [(3) 110.00]						
(Attorney/Agent) 44,197 relephone (213) 892-3732	SUBMITTED BY						(Complete (if applicable))		
Signature Date November 22, 2004	Name (Print/Type) Glenn M. Kubota				,197		Telephone	(213) 892-5752	
	Signature St.						Date	November 22, 2	2004

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